

FILED

JUL 22 2004

**CHARLES J. WALSH
J.S.C.**

IN RE: DIET DRUG LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

Master Docket No.: BER-L-7718-03MT

JANE ARMSTRONG,

Plaintiff,

v.

WYETH, INC.,

Defendant.

ORDER

Docket No.: BER-L-7024-03MT

LINDA BOWLES,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-5649-03MT

MARY FROST,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6014-03MT

ELAINE HILL,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-2564-03MT

MONICA HUFFAKER,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6024-03MT

MARCIA LARMAN,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6012-03MT

ALLISON LEAVY

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6417-03MT

ERNESTINE PERRY,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-5981-03MT

ELEANOR SMITH,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6025-03MT

PATRICIA STANFORD,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6013-03MT

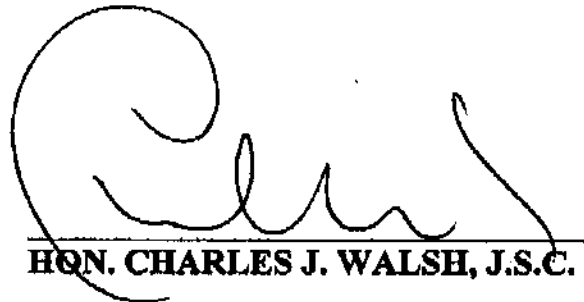
THIS MATTER having been opened to the Court by attorneys for Defendants Wyeth, Wyeth Pharmaceuticals, Inc., and Wyeth-Ayerst International, Inc. (collectively "Wyeth") on motions to dismiss Plaintiffs' Complaint with prejudice for lack of eligibility to sue under the terms of the Nationwide Class Action Settlement Agreement with American Home Products Corporation, as

approved in Memorandum and Pretrial Order No.: 1415, *In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Prods. Liab. Litig.*, MDL Docket No. 1203 (E.D. Pa. Aug. 28, 2000), and the Plaintiffs having opposed the motions and the Court having considered the papers submitted, the arguments of counsel and the testimony of experts and for the reasons set forth in the Letter Opinion dated July 22, 2004 and for other good cause,

IT IS on this 22nd day of July, 2004;

ORDERED that Wyeth's motions to dismiss be and hereby are granted as to Plaintiffs Jane Armstrong, Mary Frost, Elaine Hill, Marcia Larman, Eleanor Smith, and Patricia Stanford and these Complaint's are dismissed with prejudice and those Plaintiffs are returned to the Class, and it is further

ORDERED that Wyeth's motions to dismiss be and hereby are denied as to Plaintiffs Linda Bowles, Monica Huffaker, Allison Leavy and Ernestine Perry.



HON. CHARLES J. WALSH, J.S.C.